

AGRICULTURE AND LAND STEWARDSHIP DEPARTMENT[21]

Adopted and Filed

Rule making related to research facilities

The Agriculture and Land Stewardship Department hereby amends Chapter 67, “Animal Welfare,” Iowa Administrative Code.

Legal Authority for Rule Making

This rule making is adopted under the authority provided in Iowa Code section 162.16.

State or Federal Law Implemented

This rule making implements, in whole or in part, 2022 Iowa Acts, Senate File 2260.

Purpose and Summary

This rule making implements 2022 Iowa Acts, Senate File 2260, by establishing definitions; requiring that qualified research facilities provide the Department with any agreements they have entered into with an animal shelter or animal rescue organization to ensure compliance with statute; and requiring qualified research facilities to keep records on sales, exchanges, transfers, trades or adoptions for a period of 12 months.

Public Comment and Changes to Rule Making

Notice of Intended Action for this rule making was published in the Iowa Administrative Bulletin on September 7, 2022, as **ARC 6517C**. No public comments were received. No changes from the Notice have been made.

Adoption of Rule Making

This rule making was adopted by the Department on December 7, 2022.

Fiscal Impact

This rule making has no fiscal impact to the State of Iowa.

Jobs Impact

After analysis and review of this rule making, no impact on jobs has been found.

Waivers

Any person who believes that the application of the discretionary provisions of this rule making would result in hardship or injustice to that person may petition the Department for a waiver of the discretionary provisions, if any, pursuant to 21—Chapter 8.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rule making by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rule making at its [regular monthly meeting](#) or at a special meeting. The Committee’s meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

Effective Date

This rule making will become effective on February 15, 2023.

The following rule-making action is adopted:

Adopt the following **new** rule 21—67.18(162):

21—67.18(162) Research facilities.

67.18(1) Definitions. For purposes of this rule, the following definitions are used:

“*Animal rescue organization*” means a person other than an animal shelter operating on a nonprofit basis to place unwanted, abandoned, abused, or stray dogs or cats in permanent adopted homes.

“*Qualified research facility*” means the following:

1. A research facility, including but not limited to a regents institution, that conducts experiments on dogs or cats for research, education, testing, or another scientific purpose, and that receives moneys from the state or federal government.

2. A research facility that conducts experiments on dogs or cats for research, education, testing, or another scientific purpose, in collaboration with a research facility described in paragraph “1.”

“*Retired animal*” means a dog or cat confined at a qualified research facility if the dog or cat has been previously used for research, education, testing, or another scientific purpose, and the dog or cat is no longer required to be confined by the qualified research facility for any of those purposes.

67.18(2) Adoption program required.

a. A qualified research facility shall enter into a written agreement with an animal shelter or animal rescue organization to facilitate the placement of retired animals. The qualified research facility shall include signed copies of each agreement annually upon renewal of authorization.

b. A retired animal must have no substantial medical condition, and pose no safety risk to the public, that would prevent the dog’s or cat’s successful integration into a permanent adoptive home.

c. A qualified research facility may offer to transfer ownership and custody of the retired animal to a person for private placement in the person’s permanent adoptive home according to an arrangement agreed to by the qualified research facility and the person. The qualified research facility shall keep a record of the transfer, including contact information of the individual taking possession of the retired animal, and shall retain the record for a period of at least 12 months.

67.18(3) Records required. Records must be made available to the department upon request. A qualified research facility must maintain records and statement of the sale, exchange, transfer, trade or adoption as provided for in rule 21—67.6(162). Records shall be made and retained for a period of 12 months.

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EDITOR’S NOTE: For replacement pages for IAC, see IAC Supplement 1/11/23.